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OFFICE OF PETITIONS

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In re Application of	:	
Ken Kutaragi et al.	:	
Application No. 09/942,977	:	
Filed: August 30, 2001	:	DECISION ON PETITION
Attorney Docket No. 100809-16280 (SCEW 18.970	:	UNDER 37 C.F.R. §1.137(B)
Title: METHOD AND SYSTEM FOR	:	
MONITORING UTILIZING CONDITION	:	
OF CONTENTS, COMPUTER PROGRAM	:	
AND RECORDING MEDIUM	:	

This is a decision on the petition filed June 23, 2006, pursuant to 37 C.F.R. §1.137(b)<sup>1</sup>, to revive the above-identified application.

The above-identified application became abandoned for failure to reply within the meaning of 37 C.F.R §1.113 in a timely manner to the final Office action mailed October 5, 2005, which set a shortened statutory period for reply of three months. An after-final response was received on January 5, 2006, and an advisory action was mailed on January 27, 2006. No additional extensions of time under the provisions of 37 C.F.R §1.136(a) were obtained,

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<sup>1</sup> A grantable petition pursuant to 37 C.F.R §1.137(b) must be accompanied by:

- (1) The reply required to the outstanding Office action or notice, unless previously filed;
- (2) The petition fee as set forth in § 1.17(m);
- (3) A statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to this paragraph was unintentional. The Commissioner may require additional information where there is a question whether the delay was unintentional, and;
- (4) Any terminal disclaimer (and fee as set forth in § 1.20(d)) required pursuant to paragraph (d) of this section.

and no further responses were received. Accordingly, the above-identified application became abandoned on January 6, 2006.

With the present petition, Petitioner has submitted the petition fee and the proper statement of unintentional delay. Petitioner has further included a Request for Continued Examination (RCE) under 37 C.F.R. §1.114 and the associated fee.

No terminal disclaimer is required. The RCE has been accepted as the required reply under 37 C.F.R. §1.137(b)(1). The concurrently submitted amendment shall serve as the required submission.

As such, the petition under 37 C.F.R. §1.137(b) is **GRANTED**.

The Technology Center will be notified of this decision. The Technology Center's support staff will notify the Examiner of this decision, so that the RCE can be processed.

Telephone inquiries regarding *this decision* should be directed to the undersigned at (571) 272-3225<sup>2</sup>. All other inquiries concerning examination procedures or status of the application should be directed to the Technology Center.



Paul Shanowski  
Senior Attorney  
Office of Petitions  
United States Patent and Trademark Office

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<sup>2</sup> Petitioner will note that all practice before the Office should be in writing, and the action of the Office will be based exclusively on the written record in the Office. See 37 C.F.R. §1.2. As such, Petitioner is reminded that no telephone discussion may be controlling or considered authority for Petitioner's further action(s).